

UNITED STATES DISTRICT COURT
for the

Eastern District of Michigan

United States of America

v.

Marcus Joseph Ray

Case: 2:22-mj-30301
Assigned To : Unassigned
Case No. Assign. Date : 7/8/2022
Description: RE: SEALED MATTER
(EOB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 12, 2022 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

| <i>Code Section</i> | <i>Offense Description</i> |
|---------------------|----------------------------------|
| 18 USC § 922(g)(1) | Felon in possession of a firearm |

This criminal complaint is based on these facts:
see attached affidavit.

Continued on the attached sheet.



Complainant's signature

Det. Jeb Rutledge, Task Force Officer (ATF)
Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: July 8, 2022

City and state: Detroit, Michigan



Judge's signature

Hon. Kimberly G. Altman, United States Magistrate Judge
Printed name and title

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Task Force Officer, Detective Jeb Rutledge being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a duly sworn Police Officer currently holding the rank of Detective with the City of Detroit, MI. I have been with the Detroit Police Department since 1998 and was appointed to the rank of Detective in 2014. In my 23 years as a Detroit Police Officer, I have worked numerous assignments including, Uniformed Patrol, Plain Clothes Precinct Special Operations, Breaking and Entering Task Force, Precinct Detective Unit, and Homicide.

2. During my career, I have been involved in or have been the officer in charge of hundreds of investigations ranging from larcenies to violent assaults and homicides, which have resulted in successful state prosecutions.

3. I transferred to the Bureau of Alcohol, Tobacco, Firearms, and Explosives, Firearms Investigative Team (ATF/FIT) in August 2020 and was sworn in as a Task Force Officer in November 2020.

4. I make this affidavit based on my training and experience, information I gathered from officers involved in the underlying criminal investigation, and my discussions with special agents and others who have personal knowledge or

participated in this investigation. In addition, some of the evidentiary materials that I have reviewed in the course of my investigation of this case include:

- Detroit Police Department (DPD) reports that were authored by Officers Roy Bunnich and Joshua Dennard.
- Other law enforcement and agency reports related to MARCUS JOSEPH RAY.
- Body-camera footage worn by Officers Bunnich and Dennard that captures the traffic stop and subsequent arrest of MARCUS JOSEPH RAY on March 12, 2022.
- Dash camera footage that captures the traffic stop and subsequent arrest of MARCUS JOSEPH RAY on March 12, 2022.
- Criminal history records of MARCUS JOSEPH RAY indicating his previous felony convictions.
- Michigan Department of Corrections (MDOC) paperwork, signed by MARCUS JOSEPH RAY, showing his knowledge about not being able to own or possess a firearm.
- Law Enforcement Information Network (LEIN) information about the black HI POINT C9, SN: P10062231, recovered from the person of MARCUS JOSEPH RAY.

5. This affidavit does not contain all details or facts known to law enforcement related to this investigation. Rather, it is for the limited purpose of establishing probable cause that MARCUS JOSEPH RAY (DOB XX/XX/1994) violated Title 18, United States Code, Section 922(g)(1) by possessing a firearm as a convicted felon.

PROBABLE CAUSE

6. On March 12, 2022, DPD Officers Bunnich and Dennard were working in a fully marked DPD scout car. At approximately 20:50 hours, the officers were actively patrolling the area around 8 Mile Road and Ilene Street in Wayne County in the Eastern District of Michigan.

7. While patrolling this area, the officers noticed a gold Chevy Malibu with License Plate: MO/21/LC****, which had tinted windows, in violation of Michigan Vehicle Code 257.709(b).

8. The officers began following the Chevy Malibu and entered the vehicle's license plate into the Law Enforcement Information Network (LEIN).

9. While following the gold Chevy Malibu, the officers observed that the vehicle failed to make a complete stop at a stop sign at the intersection of Ilene and Washburn Streets.

10. The officers then activated their overhead lights and siren and initiated a traffic stop to investigate the Chevy Malibu.

11. Officer Dennard approached the Malibu and investigated the driver (whose identity is known to law enforcement), while Officer Bunnich approached the front seat passenger, MARCUS RAY.

12. Officer Bunnich requested RAY'S identification, which RAY indicated was in his left pocket.

13. RAY then began to search for his ID in his right pocket. After a few seconds, RAY retracted his initial statement and indicated that he left his ID at home.

14. Officer Bunnich then asked RAY to search for his ID in his left pocket, since that is where RAY initially indicated that his ID was located.

15. RAY then searched his left pocket in an uncharacteristically slow manner. While RAY was slowly searching for ID in his left pocket, he was acting nervous and uneasy.

16. A few moments later, RAY again stated that he did not have an ID.

17. RAY then began blading (slightly tilting) his body towards Officer Bunnich.

18. Officer Bunnich then requested that RAY exit the vehicle, noting that RAY did not have an ID and had not been wearing his seatbelt.

19. At this time, RAY refused to exit the vehicle, asked numerous questions, and requested to “speak to somebody.”

20. Officer Bunnich continued to ask RAY to exit the car, believing that RAY’S repeated questions and requests to “go get somebody” were delay tactics.

21. RAY continued to stall, ask questions, ask the driver to get his phone out, and resist Officer Bunnich’s orders.

22. Officer Bunnich then took a hold of one of RAY’S hands for safety and control and to try to assist RAY out of the vehicle.

23. Meanwhile, Officer Dennard had the driver exit the driver's seat and stand on the street behind their parked car.

24. Officer Bunnich then told RAY that he was going to take him to the ground.

25. Officer Dennard then entered the driver's compartment to assist Officer Bunnich bring RAY out of the car and onto the ground.

26. While Officer Bunnich was still ordering RAY to exit the vehicle. Ray was passively resisting by stating verbally he was agreeing with commands from Office Bunnich while physically not complying with those commands.

27. The officers then assisted RAY out of the vehicle at which time officers observed the handgun in RAY'S waistband. Officers took control of RAY by bringing him to the ground and handcuffing him.

28. The officers retrieved and secured the handgun that was in RAY'S pants, a loaded black Hi-Point C9 handgun, bearing serial number P10062231, and placed it into evidence.

29. On September 1, 2021, ATF Special Agent Michael Jacobs advised me, based upon the verbal descriptions that I provided to him, that the above-referenced firearm is a firearm as defined under 18 U.S.C. § 921, was manufactured outside of the state of Michigan after 1898, and therefore has traveled in and affected interstate commerce.

30. On May 20, 2022, I reviewed a computerized criminal history (CCH) for RAY, which revealed that RAY has the following felony convictions:

- 2015: Attempt Carrying of a Concealed Weapon – Third Circuit Court, Wayne County MI
- 2017: Armed Robbery – Third Circuit Court, Wayne County MI

CONCLUSION

31. Probable cause exists that MARCUS JOSEPH RAY, knowing that he was a convicted felon, did knowingly possess a firearm and ammunition that had previously traveled in interstate and/or foreign commerce, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,



Detective Jeb Rutledge, Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.



HON. KIMBERLY G. ALTMAN
UNITED STATES MAGISTRATE JUDGE

Date: July 8, 2022